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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/934,170	08/21/2001	Yasuhisa Nakajima	450100-03418	7401

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FROMMER LAWRENCE & HAUG
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NEW YORK, NY 10151

EXAMINER

LE, DANH C

ART UNIT	PAPER NUMBER
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2683

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DATE MAILED: 03/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/934,170

Applicant(s)

NAKAJIMA, YASUHISA

Examiner

DANH C LE

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– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6 is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogasawara (US 6,577,861) in view of Molne (US 5,943,611).

As to claim 1, Ogasawara teaches an information processing apparatus for delivering a product to a delivery address specific from a first device (figure 6 and col.6, line 57-col.7, line 9, col. 16, line 31-col.17, line 52), comprising:

search request means for connecting to a second device based on a telephone call from said first device and requesting a search of customer information;

presenting means for presenting said search results supplied from said second device to said first device; and

order issuing means for issuing an order for said product to a third device based on said order information input from said first device.

Ogasawara fails to teach a search request on the telephone number input from the first device. Molne teaches a search request on the telephone number input from the first device (col.11, lines 11-54). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Molne into

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the system of Ogasawara in order to enhance system performance of the electronic shopping system in which the user transmits the telephone number to the server.

As to claim 2, the combine of Ogasawara and Molne teaches an information processing apparatus according to further comprising:

storage means for storing customer information supplied claim from said second device; and

search means for searching customer information stored in said storage means based on said telephone number input from said first device,

wherein said presenting means is capable of presenting to said first device said customer search information results

obtained from said search means when a search of customer information is made (Molne, col.11, lines 11-54).

As to claim 3, the combine of Ogasawara and Molne teaches an information processing apparatus according to claim 1, wherein said customer information include a name or an address (Ogasawara, col.6, line 57-col.7, line 9).

As to claim 4, the claim is a method claim of claim 1; therefore, the claim is interpreted and rejected as set forth as in claim 1.

As to claim 5, the claim is a computer program claim of claim 1; therefore, the claim is interpreted and rejected as set forth as in claim 1.

Allowable Subject Matter

Claim 6 is allowed.

The following is a statement of reasons for the indication of allowable subject matter:

As to claim 6, the teaching of prior arts either alone or in combine fails to teach order issuing means for issuing an order for said product to the fourth information processing apparatus based on said order information input from said first information processing apparatus, wherein said third information processing apparatus comprising: storage means for storing said customer information; search means for searching said customer information stored in said storage means based on a search request from said second information processing apparatus; and supply means for supplying said search results of said search means to said second information processing apparatus, and wherein said fourth information processing apparatus comprising: notification means for receiving the order for purchasing said product from said second information processing apparatus and notifying the second information processing apparatus that receipt of the purchasing order is completed.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A. Ogasawara (US 6,512,919) teaches the electronic shopping system utilizing a program downloadable wireless videophone.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANH C LE whose telephone number is 703-306-0542. The examiner can normally be reached on 8:00AM-5:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM TROST can be reached on 703-308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Danh C.Le


WILLIAM TROST
SUPERVISORY PATENT EXAMINER
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